

Karas, J.

(92)

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

JEFFREY DESKOVIC,

Plaintiff,

vs.

CITY OF PEEKSKILL, PUTNAM COUNTY,  
WESTCHESTER COUNTY, DAVID LEVINE,  
THOMAS MCINTYRE, WALTER BROVARSKI,  
EUGENE TUMOLO, JOHN AND JANE DOE  
SUPERVISORS, DANIEL STEPHENS, LOUIS  
ROH, MILLARD HYLAND, PETER INSERO, and  
LEGAL AID SOCIETY OF WESTCHESTER  
COUNTY,

Defendants.

Index No. CV-07-8150 (KMK)(GAY) ✓

**STIPULATION**

LINDA MCGARR,

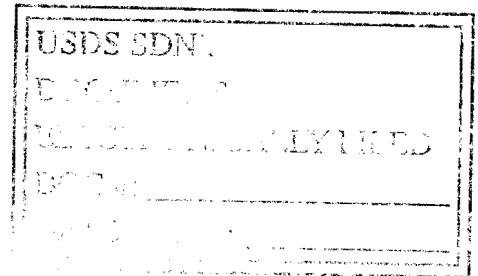
Plaintiff,

vs.

CITY OF PEEKSKILL, WESTCHESTER  
COUNTY, DAVID LEVINE, THOMAS  
MCINTYRE, WALTER BROVARSKI, EUGENE  
TUMOLO, JOHN AND JANE DOE  
SUPERVISORS, DANIEL STEPHENS, LOUIS  
ROH, AND MILLARD HYLAND,

Defendants.

Index No. CV-07-9488 (KMK)(GAY) ✓



CITY OF PEEKSKILL,

Third-Party Plaintiff,

vs.

WESTPORT INSURANCE COMPANY as  
successor-in-interest to NORTH RIVER  
INSURANCE COMPANY,

*Caption continued on next page*

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*Caption continued from previous page*

NORTH RIVER INSURANCE COMPANY,

TIG INSURANCE COMPANY as successor-in-interest to INTERNATIONAL INSURANCE COMPANY,

WESTPORT INSURANCE COMPANY as successor-in-interest to INTERNATIONAL INSURANCE COMPANY,

UNDERWRITERS AT LLOYD'S, LONDON,

CX REINSURANCE COMPANY LIMITED as successor-in-interest to CNA INTERNATIONAL REINSURANCE COMPANY,

CX REINSURANCE COMPANY LIMITED as successor-in-interest to CNA REINSURANCE OF LONDON, LIMITED,

SPHERE DRAKE INSURANCE PLC,

ILLINOIS UNION INSURANCE COMPANY,

UNITED NATIONAL INSURANCE COMPANY,

TRAVELERS INDEMNITY COMPANY as successor-in-interest to GULF INSURANCE COMPANY,

AMERICAN MOTORISTS INSURANCE COMPANY as successor-in-interest to AMERICAN PROTECTION INSURANCE COMPANY,

AMERICAN MOTORISTS INSURANCE COMPANY as successor-in-interest to SPECIALTY NATIONAL INSURANCE COMPANY,

*Caption continued on next page*

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*Caption continued from previous page*

HARCO NATIONAL INSURANCE COMPANY,

ILLINOIS NATIONAL INSURANCE  
COMPANY, and

MARKEL AMERICAN INSURANCE  
COMPANY,

Third-Party Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties through their undersigned attorneys, in light of Judge Karas' court ordered mediation to take place December 1, 2011 (and possibly December 2, 2011), the parties agree as follows:

1. The time for Third-Party Defendants Westport Insurance Company as successor-in-interest to North River Insurance Company and as a successor-in-interest to International Insurance Company; North River Insurance Company; TIG Insurance Company as a successor-in-interest to International Insurance Company; Underwriters at Lloyd's, London; CX Reinsurance Company Limited as successor-in-interest to CNA International Reinsurance Company and CNA Reinsurance of London, Limited; Sphere Drake Insurance PLC; Illinois Union Insurance Company; United National Insurance Company; Travelers Indemnity Company as successor-in-interest to Gulf Insurance Company; American Motorists Insurance Company as successor-in-interest to American Protection Insurance Company and Specialty National Insurance Company; Harco National Insurance Company; Illinois National Insurance Company; and, Markel American Insurance Company (collectively, the "Third-Party Defendants") to appear, and to move or answer in connection with the third-party complaints filed in the above captions actions, is extended to January 6, 2012.

2. There have been no previous requests for extensions.
3. This Stipulation may be signed in counterparts with all counterparts together constituting one complete Stipulation.
4. Signatures received by facsimile or e-mail shall be deemed an original for purposes of this Stipulation.
5. Third-Party Defendants reserve all rights to request the Court to grant further extensions.

*[signatures pages to follow]*

Dated: OCTOBER \_\_, 2011

DATED: OCTOBER \_\_, 2011

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& SMITH LLP

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**ATTORNEYS FOR THIRD-PARTY  
DEFENDANTS WESTPORT  
INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO NORTH  
RIVER INSURANCE COMPANY;  
NORTH RIVER INSURANCE  
COMPANY; AND  
WESTPORT INSURANCE  
COMPANY AS SUCCESSOR-IN-  
INTEREST TO INTERNATIONAL  
INSURANCE COMPANY**

**ATTORNEYS FOR THIRD-PARTY  
PLAINTIFF CITY OF PEEKSKILL**

Dated: October \_\_, 2011

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**ATTORNEYS FOR THIRD-PARTY  
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LIMITED AS SUCCESSOR-IN-INTEREST  
TO CNA INTERNATIONAL  
REINSURANCE COMPANY; CX  
REINSURANCE COMPANY  
LIMITED AS SUCCESSOR-IN-INTEREST  
TO CNA REINSURANCE OF  
LONDON, LIMITED; RIVERSTONE  
(UK) LIMITED, AS SUCCESSOR-IN-  
INTEREST TO SPHERE DRAKE  
INSURANCE LIMITED  
(FORMERLY KNOWN AS SPHERE  
DRAKE INSURANCE PLC); AND  
UNITED NATIONAL INSURANCE  
COMPANY (AS TO POLICY NUMBERS  
CP62686; CPD62686; CP62831; AND  
CPD62831 ONLY)**

Dated: October \_\_, 2011

MECKLER BULGER TILSON  
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**ATTORNEYS FOR THIRD-PARTY  
DEFENDANTS AMERICAN  
MOTORISTS INSURANCE  
COMPANY AS SUCCESSOR-IN-  
INTEREST TO AMERICAN  
PROTECTION INSURANCE  
COMPANY; AND AMERICAN  
MOTORISTS INSURANCE  
COMPANY AS SUCCESSOR-IN-  
INTEREST TO SPECIALTY  
NATIONAL INSURANCE  
COMPANY**

Dated: October \_\_, 2011

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& ARNOLD LLP

By:

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INSURANCE COMPANY**

Dated: October \_\_, 2011

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**ATTORNEYS FOR THIRD-PARTY  
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INDEMNITY COMPANY AS  
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INSURANCE COMPANY**

Dated: October \_\_, 2011

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**ATTORNEYS FOR THIRD-PARTY  
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Dated: October \_\_, 2011

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**ATTORNEYS FOR THIRD-PARTY  
DEFENDANT HARCO NATIONAL  
INSURANCE COMPANY**

DATED: OCTOBER \_\_, 2011

DATED: OCTOBER \_\_, 2011

TIG INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY

ILLINOIS UNION INSURANCE  
COMPANY

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**THIRD-PARTY DEFENDANT TIG  
INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY**

**THIRD-PARTY DEFENDANT ILLINOIS  
UNION INSURANCE COMPANY**

DATED: OCTOBER \_\_, 2011

MARKEL AMERICAN INSURANCE  
COMPANY

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**THIRD-PARTY DEFENDANT MARKEL  
AMERICAN INSURANCE  
COMPANY**



DATED: OCTOBER \_\_, 2011

TIG INSURANCE COMPANY AS  
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THIRD-PARTY DEFENDANT TIG  
INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY

DATED: OCTOBER 25, 2011

*Clyde + Co US LLP*  
ILLINOIS UNION INSURANCE  
COMPANY

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THIRD-PARTY DEFENDANT ILLINOIS  
UNION INSURANCE COMPANY

DATED: OCTOBER \_\_, 2011

MARKEL AMERICAN INSURANCE  
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THIRD-PARTY DEFENDANT MARKEL  
AMERICAN INSURANCE  
COMPANY

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
The Honorable Kenneth M. Karas  
United States District Judge

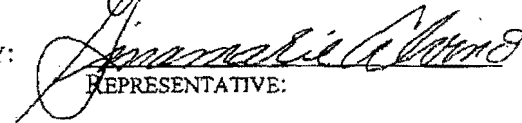
DATED: OCTOBER 21, 2011

DATED: OCTOBER \_\_, 2011

TIG INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY

ILLINOIS UNION INSURANCE  
COMPANY

BY:

  
REPRESENTATIVE:

BY:

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THIRD-PARTY DEFENDANT TIG  
INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY

THIRD-PARTY DEFENDANT ILLINOIS  
UNION INSURANCE COMPANY

DATED: OCTOBER \_\_, 2011

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THIRD-PARTY DEFENDANT MARKEL  
AMERICAN INSURANCE  
COMPANY

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
The Honorable Kenneth M. Karas  
United States District Judge

DATED: OCTOBER \_\_, 2011

DATED: OCTOBER \_\_, 2011

TIG INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY

ILLINOIS UNION INSURANCE  
COMPANY

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THIRD-PARTY DEFENDANT TIG  
INSURANCE COMPANY AS  
SUCCESSOR-IN-INTEREST TO  
INTERNATIONAL INSURANCE  
COMPANY

THIRD-PARTY DEFENDANT ILLINOIS  
UNION INSURANCE COMPANY

DATED: OCTOBER \_\_, 2011

By:

*Counsel for*  
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SO ORDERED this 7<sup>th</sup> day of October, 2011.

The Honorable Kenneth M. Karas  
United States District Judge